

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

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**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**3:12-CV-1196**

**CHRISTINE CHAPMAN,**

**Defendant.**

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**THOMAS J. McAVOY,  
Senior United States District Judge**

**DECISION & ORDER**

The United States of America moves for a default judgment in connection with the defendant's failure to repay student loans. The Complaint alleges that Defendant executed a promissory note to secure loans from the Department of Education and that she failed to repay the loan in full. Defendant has failed to plead or otherwise defend this action; the Clerk of the Court entered default against Defendant on October 1, 2012; and Plaintiff has now moved for a default judgment against the Defendant. [Dkt. # 6].

In support of the motion, Plaintiff filed an affidavit declaring:

a) Defendant was served with copies of Plaintiff's Summons and Complaint as provided by Rule 4(c)(1), Federal Rules of Civil Procedure, as is reflected in the Affidavit of Service filed in this case.

b) Upon Plaintiff's information and belief, Defendant is neither an infant nor an incompetent person requiring special service in accordance with Rule 4(g), Federal Rules of Civil Procedure, and is not serving with the armed forces of the United States entitled to the protection of 50 U.S.C. App. Section 520.

c) Defendant has neither answered nor otherwise responded formally to the Plaintiff's Summons and Complaint, and the time to do so has expired, pursuant to Rule 12(a), Federal Rules of Civil Procedure.

d) As asserted in the Complaint, Defendant owes the following amounts:

Principal amount claimed in Complaint:	\$8,821.57
Total interest (includes interest amount stated in Complaint of \$10,387.46 plus accrual through 11/06/12 at 9.000% in the amount of \$253.80)	<u>\$10,641.26</u>
TOTAL:	\$19,462.83

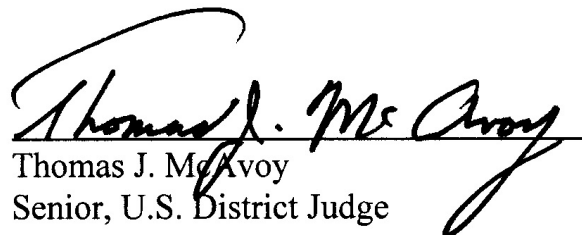
Valerino Aff.

The allegations asserted in the Complaint are deemed admitted by Defendant's failure to respond, see Cotton v. Slone, 4 F.3d 176, 181 (2d Cir. 1993); Greyhound Exhibitgroup., Inc., v. E.L.U.L. Realty Group Corp., 973 F.2d 155, 158 (2d Cir. 1992), and are sufficient to establish Defendant's liability. The materials submitted with the Complaint together with the affidavits in support of the motion for default judgment are sufficient to establish damages on the promissory note because those amounts (principal owed on the notes and interest) are susceptible to mathematical computation.

**THEREFORE**, the motion for default judgment [dkt. # 6] is **GRANTED**, Plaintiff is entitled to judgment against Defendant in the amount of \$19,462.83.

**IT IS SO ORDERED.**

Dated: **December 5, 2012**

  
Thomas J. McAvoy  
Senior, U.S. District Judge